

LAKE COUNTY BOARD of ADJUSTMENT
September 14, 2016
Lake County Courthouse Commissioners Office (Rm 211)
Meeting Minutes

MEMBERS PRESENT: Sue Laverty, Steve Rosso, Don Patterson, Frank Mutch

STAFF PRESENT: Jacob Feistner, Joel Nelson, Lita Fonda, Wally Congdon

Sue Laverty called the meeting to order at 4:05 pm.

RANDALL/FREY ET AL DENSITY VARIANCE

Joel Nelson presented the staff report. (See attachments to minutes in the Sept. 2016 meeting file for staff report.) He pointed out the public comment letter included in the staff report. Regarding #4 on pg. 12, Jack Duffey brought him 2005 tax statements, which apparently was what the Dept. of Revenue (DOR) gave Jack when he asked for the tax rolls. One of the tax statements appeared to be for this parcel of land. It included a solid waste assessment, which was usually indicative of a unit such as a residential living unit. The other one was for the mobile home, which was known to be on the property for a long time. This wasn't typical of what Joel had seen in the past for tax rolls. He passed the pages onto the Board.

Joel relayed comments from Board member Merle Parise, who could not be present. On page 2 of the application in #7, the applicants said they didn't have a sanitation application but they didn't say why. Joel thought perhaps there was no sanitation application for the variance request itself. It looked like they'd have to go through sanitation DEQ (Dept. of Environmental Quality) review. In the last sentence of the 2nd full paragraph on pg. 14 of the staff report, it said that each lot may contain one unit. Merle observed that lot one appeared to have two units. Looking at the bottom photo on pg. 5, there was a mobile home and a building with a chimney so it looked like two families were living there. Joel thought that was addressed by the conditions of approval. He thought Merle could also be seeing the addition with satellite dishes on it that was next to the Dodge flatbed truck as something separate. Joel thought there were two attachments to the mobile home and that it was one structure. Sue referred to the aerial. Joel suggested Jack Duffey and the applicants could speak more to this. He passed around Lita's email containing Merle's questions.

Steve asked if the property of possibly around 120 acres to the west in the community growth area had been subdivided. Joel was not aware of subdivision there. He pointed to a cemetery and a subdivision that had been done in the last 10 years. The County hadn't seen recent subdividing in the area. The Town of St. Ignatius didn't seem to have subdivision activity. Steve asked about the density recommended in a community growth area. Joel said it was basically what you could get through with the State based on water and sewer. Steve checked that there could be quarter-acre lots. Joel thought with on-site water and sewer and individual wells and individual sewers, you might be able to get an acre per lot. If you hooked up to City water and sewer or created a public system, you could become denser. Steve asked what Joel had been expecting for the tax rolls. Joel

explained they usually involved a DOR form that was filled in along with photos, sketches and/or measurements.

Laurie Randall asked if this would take 2 years to finalize if this passed. Joel said not necessarily. The two-year time limit assured that the variance didn't linger for years. Laurie introduced herself and her husband Larry. They lived on lot one. Her mother passed away in March so her other siblings had the house with the 5 acres. They were the only ones living on lot one, in answer to Merle's question. One [structure] was a hot tub room and the other across from it was a greenhouse. Joel agreed it seemed like one residence. He asked if the bunkhouse was connected to water. She replied it was not.

Public comment opened: None offered. *Public comment closed.*

Steve noted this was adjacent to the community growth area. They picked a way to divide it so the smallest lot was closest to the community growth area and the larger lot was closest to the 5-acre density area. He suggested a change in the findings on pg. 17 in the last paragraph. He pointed to the sentence in parenthesis that began on the 2nd line. He thought it would make more sense if that portion read 'such as the Community Growth Area for St. Ignatius, which is immediately adjacent to the proposed subdivision'. Sue agreed the change made it clearer. Steve thought it was important to state clearly in terms of establishing precedents.

Sue agreed it was a reasonable request. It appeared the dwellings were in existence and looked like it had been thought of as two [properties].

Motion made by Sue Laverty, and seconded by Don Patterson, to approve the variance with findings of fact as corrected and conditions. Motion carried, 3 in favor (Sue Laverty, Steve Rosso, Don Patterson) and one abstention (Frank Mutch).

Frank repeated his objections to the Density Map & Regulations. Sue pointed out his views and opinions were well known. Abstaining from the vote was probably a good thing.

MINUTES (approx. 4:32 pm)

Motion made by Steve Rosso, and seconded by Don Patterson, to approve the August 10, 2016 meeting minutes as written. Motion carried, all in favor.

OTHER BUSINESS (approx. 4:33pm)

Items were slated for next month. Lita noted the bylaws gave a specific order of business such that they might want to update the bylaws if they wanted the minutes at the end. Some other changes should be done as well when bylaws were updated.

Jacob mentioned that when a Board member recused from an item, that person either sat in the audience or preferably left the room instead of staying at the table. People agreed that recusing was different than abstaining.

Sue Laverty, chair, adjourned the meeting at approximately 4:34 pm.